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CMAQ Project Chicago Metropolitan Agency for Planning Congestion Mitigation and Air Quality Improvement Program Project Selection Committee

March 25, 2010 Minutes

Members Present: Chair - Ross Patronsky - CMAP, Paula Trigg - Counties, Larry Keller - Council of

Mayors, Luann Hamilton - City of Chicago, Mark Pitstick - RTA, Mike

Rogers - IEPA (via phone), Susan Stitt – IDOT (via phone)

Members Absent: None

Others Present: Brian Carlson, Michael Connelly, Kama Dobbs, Stephanie Dock, John Donovan, Bill

Lenski, Keith Privett, Chad Riddle, David Tomzik, Brian Urbaszewski, Jan Ward,

Thomas Weaver.

Staff Present: Don Kopec, Holly Ostdick, Joy Schaad, Russell Pietrowiak

1.0 Call to Order and Introductions

Chairman Ross Patronsky, opened the meeting at 2:05

2.0 Agenda Changes and Announcements

Chairman Patronsky explained that there was a new project change to add to item 4.0 and that the members have a handout of the particulars. Mike Connelly announced Paul Fish's retirement from the CTA.

3.0 Approval of February 11, 2010 Minutes

Chairman Patronsky stated two changes: Tom Weaver was in attendance at that meeting and Joy Schaad was not. On a motion by L. Hamilton and a second by L. Keller, the committee voted to approve the February 11, 2010 minutes as revised.

4.0 Project Changes

4.1 Oak Park Washington Blvd from Lombard Ave to Home Ave (TIP ID 04-08-0004)

Oak Park is requesting a scope change to upgrade the signal interconnect software system that will be used for the traffic signal interconnect network. After noting that there was no cost change associated with this request, P. Trigg offered a motion to approve which was seconded by L. Hamilton and unanimously passed.

4.2 Kane County Forest Preserve/Fox Valley Park District – Fox River Trail Gap Project - Section B Limits: Virgil Gilman Trail to New York Street (TIP ID 09-94-0068)

The sponsor requested a cost increase of \$726,250 total (\$393,768 federal) to \$2,090,000 total (\$993,768 federal) for construction and construction engineering for a fall 2010 letting. On a motion by L. Keller and a second by L. Hamilton the request was approved.

4.3 IDOT – I-55 from Naperville Rd to Lorenzo Rd Expansion of Congestion Monitoring, Incidence Detection and Traveler Information (TIP ID 13-10-0010)

The sponsor requested a change of federal fiscal year (FFY) associated with this project. This project was selected in the FFY 2010/2011 approved program and was therefore included on the CMAQ A list. It was planned for staged construction, with funding for the first stage in FFY 2012 - \$3,450,000 total (\$2,760,000 federal) and the funding for the remaining aspects in the MYB list \$2,800,000 total (\$2,240,000 federal). The Department pointed out benefits of implementing the whole project at once and said all is ready for the June letting. On a motion by M. Pitstick and a second by P. Trigg, the committee voted to move the project's funding the from CMAQ A list and MYB list into FFY 2010, for total FFY 2010 project funding of \$6,250,000 total (\$5,000,000 federal).

4.4 Berwyn/Riverside Bicycle Parking and Marketing (TIP ID 05-10-0001)

The sponsor requested a scope change from bicycle parking for the City of Berwyn, bicycle signs for the Village of Riverside and bicycle maps for both Berwyn and Riverside to reduce the purchase of bicycle signs and instead purchase 10 bike racks and 1.75 miles of bike signs. No additional funding was requested. On a motion by L. Hamilton and a second by P. Trigg, the request was approved.

4.5 DuPage County DOT – 75th St from Ranch View Dr to Woodward Ave (TIP ID 08-09-0004) DuPage County DOT- County Farm Rd/Army Trail Rd from Schick Rd/Green Rd to Birchbark Tr/84 Ct (TIP ID 08-09-0005)

The sponsor requested the projects be combined and staff undertook this as an administrative modification.

4.6 Robbins – Bio Refueling Station at the Robbins Energy Center (TIP ID 07-06-0003).

The sponsor is withdrawing the project. Staff undertook this as an administrative modification.

4.7 Lake County DOT - Diesel Retrofit Project (TIP ID10-10-0004)

The sponsor is withdrawing the project. Staff undertook this as an administrative modification. Ross Patronsky noted that Lake County is still pursing the project but they found funding through the Illinois EPA that covers a higher share of the cost.

4.8 Chicago Bloomingdale Trail Project (TIP ID01-08-0002)

The March 19th letter came in after the agenda was posted. The Chicago DOT requests to move \$2,160,000 of Phase II engineering funding to Phase I engineering, leaving \$480,000 left for Phase II engineering. There were no objections. Staff will process this as an administrative modification.

5.0 Program Management

5.1 Rescissions Implementation

Holly Ostdick explained that on March 17, 2010 Congress passed the Hiring Incentives to Restore Employment (HIRE) Act, H.R. 2847. This act repeals the \$8.7 billion nationwide rescission implemented at the end of SAFETEA-LU, September 2009. In January, in order to deal with the SAFETEA-LU rescission, the "CMAQ A" List had been developed where every CMAQ project with a 100% unobligated balance was moved out of the TIP and onto the "CMAQ A" List. The plan was that each project would either be obligated in FFY 2010 or moved to a subsequent year (if it qualifies for a move - i.e. has not already used its one-time move) except for \$83 million dollars worth of projects. Now the \$83 million funding cut is not necessary, but staff is finding some side benefits of the "CMAQ A" list process, as predicted. The "CMAQ A" list mechanism reinforces Active Program Management as sponsors are more cognizant of the need to obligate their projects quickly, it allows fiscal flexibility for cost increases and to manage limited State appropriations, and it provides a mechanism to easily deal with future rescissions or lapses. The Committee discussed the benefits and the consensus was to maintain the "CMAQ A" list as a method to encourage timely obligations.

5.2 Certification Review

John Donovan of FHWA explained that the US DOT has released their certification review of Northeastern Illinois' planning process. John said that CMAP did very well and that there were many positive changes instituted along with the merger of CATS and NIPC. US DOT certified the CMAP region's process, while making recommendations for strengthening the CMAQ programming and program management process. Regarding programming processes, they endorse our active program management strategies and agreed with the emphasis to bring down the large unobligated balance of CMAQ funds, as unspent funds are not generating air quality benefits and are subject to lapses and rescissions. He said that one additional policy instituted elsewhere is the disallowing of cost changes to CMAQ projects, as this encourages better cost estimates and faster implementation. John reminded the committee that programs such as CMAQ, locally programmed STP and ARRA, catch the attention of members of Congress and need to be in good shape as they deliberate on appropriate future funding levels. Some committee members expressed concerns about not allowing cost increases here.

6.0 Programming Approaches

At the last CMAQ PSC meeting staff suggested considering different approaches to programming CMAQ funds. Ross introduced Stephanie Dock who is a graduate student at UC-Berkeley and worked as an intern at CMAP last summer. Stephanie gave highlights of her master's research on CMAQ programming practices focusing on four large MPOs (Denver, San Francisco, Pittsburgh, and Houston). Ross recapped the three initial options that were laid out in his March 25th memo to the committee. He pointed out that no decisions were expected today; that staff and the committee can investigate and discuss through this fall when an approach will be needed for the FFY 2012 Call for Projects.

1.) Leave programming status quo for the FFY12 call for projects. - Advantages: allows all municipalities and agencies in the region a chance to participate; and needs can be addressed as they are noted. Disadvantages: time-consuming to process the historically large volume of applications and to monitor the large number of projects; slow implementation of many projects has lead to the unobligated balance reaching unacceptable levels and AQ benefits not being realized.

- 2.) Work with regional partners/implementers/CMAP committees on developing focus areas for project selection. Advantages: funds can be used directly to implement *GO TO 2040* strategies and policies; Disadvantages: time-consuming likely to still be a large volume of applications and projects to monitor. Examples of annual focuses might be: Signal interconnects for a year, then bicycle facility implementation, the diesel emission reduction.
- 3.) Fund large regional projects identified as priorities (e.g. CREATE) and developed through the committee process of CMAP. Advantages: funds can be used directly to implement *GO TO 2040* strategies and policies; reduced demand on staff time to develop and monitor program. Disadvantages: benefits will not be dispersed as widely through the region; less opportunity for smaller projects to get funding. Would have to look way ahead in other to get the preliminary work done so that implementation can take place in the given program year.

Discussion points were:

- Tom Weaver pointed out that while rail signal interconnections have been a high priority for Metra, they have found that it is not practical to do a lot of them in a single year. It requires too many signal maintainers; efficiency is lost when the staff work is not staggered over a few years.
- Dave Tomzik said it would also be very hard to "clump" traffic signal control centers into a single year. He said that a sustained focus is better than targeting specific years.
- Luann Hamilton said she liked the flexibility that we have achieved with the current system and Active Program Management. We don't want to institute something that may hold projects up.
- Paula Trigg said our current system makes for better efficiency and allows for diversity; different project needs at different times.
- Dave Tomzik suggested we look to develop a hybrid and Ross suggested that one hybrid would be
 to set standards or focus; for instance, we could allow only bicycle projects that fulfill the intent of
 the regional plan, not just any bike project.
- Keith Privett said that local governments need to understand the problems/costs of doing projects
 through a federal process and then limit what projects they apply for. CDOT doesn't use federal
 funds for projects under \$100,000 because it is not worth the effort.
- Mark Pitstick suggested only taking projects that are really "ready to go" i.e. not funding engineering.
- Paula Trigg responded that not funding engineering would be hard on the many municipalities and that we don't want to lose good municipal ideas/projects. Also communities are at risk of doing engineering for projects that may not get funded for a long time and because standards and regulations change that engineering could be wasted.
- Ross suggested an option of giving extra points to project with its engineering already done.
- After Stephanie clarified that Denver allows the use of CMAQ funds for planning studies, Ross
 pointed out that Denver's MPO appears to give "air quality credit" to planning projects, whereas our
 practice has been to look for direct pollution reduction from our projects. One wonders how they
 assure a high level of commitment to build what is studied.
- Luann Hamilton pointed out that CDOT has received CMAQ funding for studies (feasibility, alternative analysis, planning and pre-engineering) on the Red Line and Carroll Ave. busway, as well as for ROW on the Orange Line. These studies were to determine if the desired physical improvements would "work" i.e. pre-engineering. CMAP has also used CMAQ funds for the Regional Park and Ride study.
- Mike Connelly suggested that all project selections should be informed by new regional indicators being developed for *GO TO 2040*; we should provide guidance to sponsors on what we are trying to achieve and look for direct benefits in our selection decisions.

- Mark Pitstick said he is in favor of a point system.
- Mayor Keller said that moving away from our status quo to a point system means leaving our comfort zone; we have to have a system that gets good quality projects, gets good "bang for the buck" and encourages timeliness to spend down the unobligated balance.
- Susan Stitt said she thought a point system could work
- Mike Rogers said that in a new point system, air quality needs to be the main focus and that 50% of points to air quality would be the minimum in his eyes.
- Mike Connelly agreed air quality has to be first but other factors coming out of the long range plan have a place.
- Luann Hamilton Currently we consider air quality, readiness and geographic balance; applying qualitative factors is better than points.

Ross Patronsky asked the group to consider: What can we do to advance the intent of the new 2040 Plan?

- Someone responded we could take some funding "off the top" and focus that money for some project types that directly support *GO TO 2040* objectives a special project solicitation.
- Mike Rogers pointed out that we currently, in a sense, make sure that funding goes to several priority project types by comparing rankings only "within type" we do not end up funding all of one type. That is an informal way of assuring that we fund desired categories of projects and that is better than setting specific goals. We should not pre-set the size of each category.
- Mike Connelly responded that the diesel retrofits category is really growing at the cost of other project types without an actual discussion of "what is the correct level to fund". Some discussion should take place in advance on what we want to fund, to encourage i.e. what percentage to each category.
- Ross pointed out that in the past there was a specific decision to avoid pre-allocating.
- Tom Weaver pointed out that the three objectives Mayor Keller outlined earlier can oppose each other (quality projects, bang for buck, timeliness).
- One member commented that we have had a huge unobligated balance and a huge need for air quality improvement. We need to just get it done and not risk doing something that works against those needs.
- Paula Trigg suggested that we have just started to implement active program management and the A list. We should see if those efforts work out before we change things. Our current system allows municipalities and counties to go after the funding when they can get the job done.
- Ross said that in order to reduce CMAP staff efforts it would be good to narrow the field, to bring in
 fewer project applications; to somehow recruit the top 3 bike projects from an agency, not all 10 bike
 projects, for instance.
- Keith Privett said CMAP's Bike/Ped Task Force is already discussing other ideas for ranking projects and that he favored some sort of advance discussion and guidance providing additional criteria to reduce the number of applications.
- Mayor Keller said that he favored a point system over pre-determined categories and if we use a point system we could give bonus points for those projects that will be achieved within a year.
- A committee member commented that if a project focus was set for a given year maybe it should just be 80% of the funding to that project type and 20% to other types.

Ross reiterated that the committee will continue to examine the issue and have future discussions at upcoming meetings.

Brian Urbaszewski of the Respiratory Health Association of Metro Chicago spoke during public comment agenda item against using a single focus for a given year and asked that the committee keep in mind the cost effective air quality and health benefits of diesel retrofit projects.

Mike Rogers commented after adjournment and later by email:

- Regarding the discussion of the programming of future priorities which may arise from the GO TO 2040 Plan or other initiatives, that occurred at the March 25th CMAQ Project Selection Committee meeting, I have serious concerns about using either specified percentages or relying on a quantitative system to select projects.
- I believe that CMAP, and CATS before it, has done a great job of proposing a CMAQ program that highlights certain priorities (e.g., projects ready for construction, bike path projects linking other paths to complete a network, diesel emission reduction projects, and even vehicle inspection and maintenance) while still balancing the need to fund worthwhile projects from the different category types and different areas of the region.
- I am concerned that attempting to use a quantification system, which ultimately involves qualitative assessments of criteria, might result in a disruption in the project and geographic balance that CMAP has heretofore sought to achieve.
- While I have reservations about theme-programming (i.e., the year of the bike path), I think that
 priorities, such as projects related to the CREATE program, can be emphasized from year-to-year
 within the current structure, while still programming worthwhile projects from the various
 categories.
- With that said, I still maintain that the projects proposed for programming should ultimately be
 those that achieve a significant air quality benefit. For this reason, I am concerned that themeprogramming may lead to an emphasis on projects that do little to reduce emissions and improve air
 quality.
- As I stated, I think that the MPO has done a very good job of incorporating priorities into the past CMAQ programming cycles. I think that "prescribing" a set percentage for each category, or county, or service sector, could remove the flexibility that has helped make the Northeastern Illinois CMAQ Program a model planning and programming effort.

7.0 State Appropriation

Holly Ostdick explained that as of March 9, 2010 the CMAQ Program has used \$59,954,000 of SFY 2010 State appropriation. This is approximately \$38 million over what was originally appropriated (\$21.9 million) in the SFY 2010 budget. IDOT has identified an additional \$50 million for the region to use, leaving a balance of approximately \$12 million in State appropriation available for use before the end of the State fiscal year (2 lettings). If there is insufficient State appropriation for any project, it will not be placed on a letting even though it is ready.

Holly explained that transit and IDOT sponsored projects do not use CMAQ's State appropriation and City of Chicago and other locally let projects only require State appropriation for the federal portion, unless they are receiving State match. Holly said that we currently expect to use \$12.6 appropriation for projects on the April letting. IDOT has indicated that they have worked to secure \$21 million in State appropriation for CMAQ in the SFY 2011 budget.

Ross Patronsky pointed out at the reversal of the \$83 million dollar SAFETEA-LU rescission is refers to "contract authority" rather than "obligation authority" and said the implications of this

distinction are being investigated. Also CMAP staff is working with IDOT and FHWA staff in Springfield to assess our region's potential to lose funding due to lapses as well.

8.0 Public Comment

Brian Urbaszewski, of the Respiratory Health Association commented on the future programming approaches discussion by stating his belief that a single focus for each year would be counterproductive to developing a program with the best possible air quality benefits. He further commented that Diesel retrofit projects are the most cost-effective type of project for air quality benefits as well as being fast to implement and providing definite health benefits.

That prompted a discussion of the FY 2010 diesel retrofits projects being hung up over issues with IDOT funding agreements. Currently the railroads and IDOT legal staff are in direct negotiation. John Donovan commented that there are legitimate issues; it is not just a matter of "legalese". He pointed out that like I-Go car sharing and water taxi projects, it is difficult to assure accountability from the railroads on diesel retrofit projects. Ross Patronsky stated staff would follow up with IDOT and the Railroads to assist in any way possible.

9.0 Other Business

There was none.

10.0 Next Meeting

The next meeting is scheduled for May 6, 2010 at 2 p.m. at the CMAP offices.

11.0 Adjournment

On a motion by Paula Trigg and second by Mark Pitstick the committee voted to adjourn the meeting at 3:30.

Respectfully Submitted,

Holly Ostdick

CMAQ Program Manager

/JMS